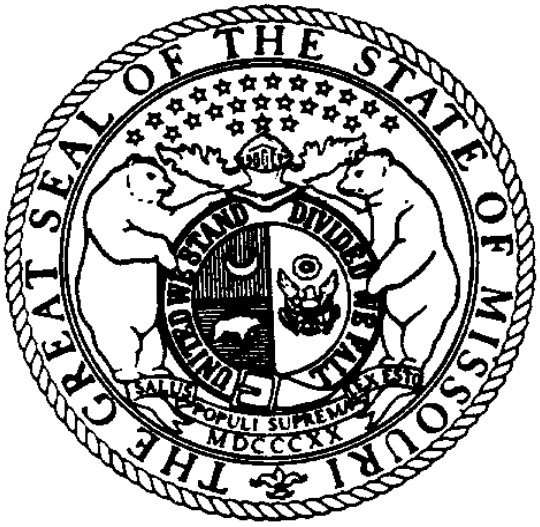
Report

of the

Joint Interim Committee

on

Hazardous Waste



November, 2004

Missouri General Assembly **November, 2004**

The Honorable Peter Kinder
President Pro Tem
Missouri Senate
Jefferson City, Missouri

The Honorable Catherine Hanaway
Speaker
Missouri House of Representatives
Jefferson City, Missouri

Dear Mr. President and Madam Speaker,

Pursuant to your charge and the provisions of Section 260.370, RSMo, your Joint Interim Committee on Hazardous Waste gathered information from a variety of sources during the summer and fall. The committee heard testimony from the Missouri Department of Natural Resources, cement kiln representative, generators of hazardous waste, and local officials including emergency response officials. The committee also visited hazardous waste sites and management facilities around the state.

There is widespread interest in hazardous waste management and environmental emergency response in Missouri. The committee expresses its gratitude to the Department of Natural Resources, the citizens, businesses and local officials who provided vital information and assistance.

The committee recognizes that proper hazardous waste management in Missouri is vital to the protection of human health, public welfare and the environment, and applauds the excellent cooperative efforts of industry, citizens, and government in this regard. We have formulated several recommendations that could result in further improvements and the avoidance of a funding crisis in the Hazardous Waste Program of the Department of Natural Resources. Enclosed herein is our report.

Sincerely,

Senator John Griesheimer
Representative Merrill Townley

REPORT OF THE
JOINT INTERIM COMMITTEE ON
HAZARDOUS WASTE

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Senator Joan Bray
District 24
Senator John Cauthorn
District 18
Senator Patrick Dougherty
District 4
Senator John T. Russell
District 33

Representative Merrill Townley
District 112
Representative Rachel Bringer
District 6
Representative Mike Dethrow
District 153
Representative Belinda Harris
District 110
Representative Steve Hobbs
District 21

Committee Staff:
Marc Webb, House Research Office
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REPORT
Joint Committee on Restructuring Fees Paid by Hazardous Waste Generators and Hazardous Waste Facilities

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Introduction

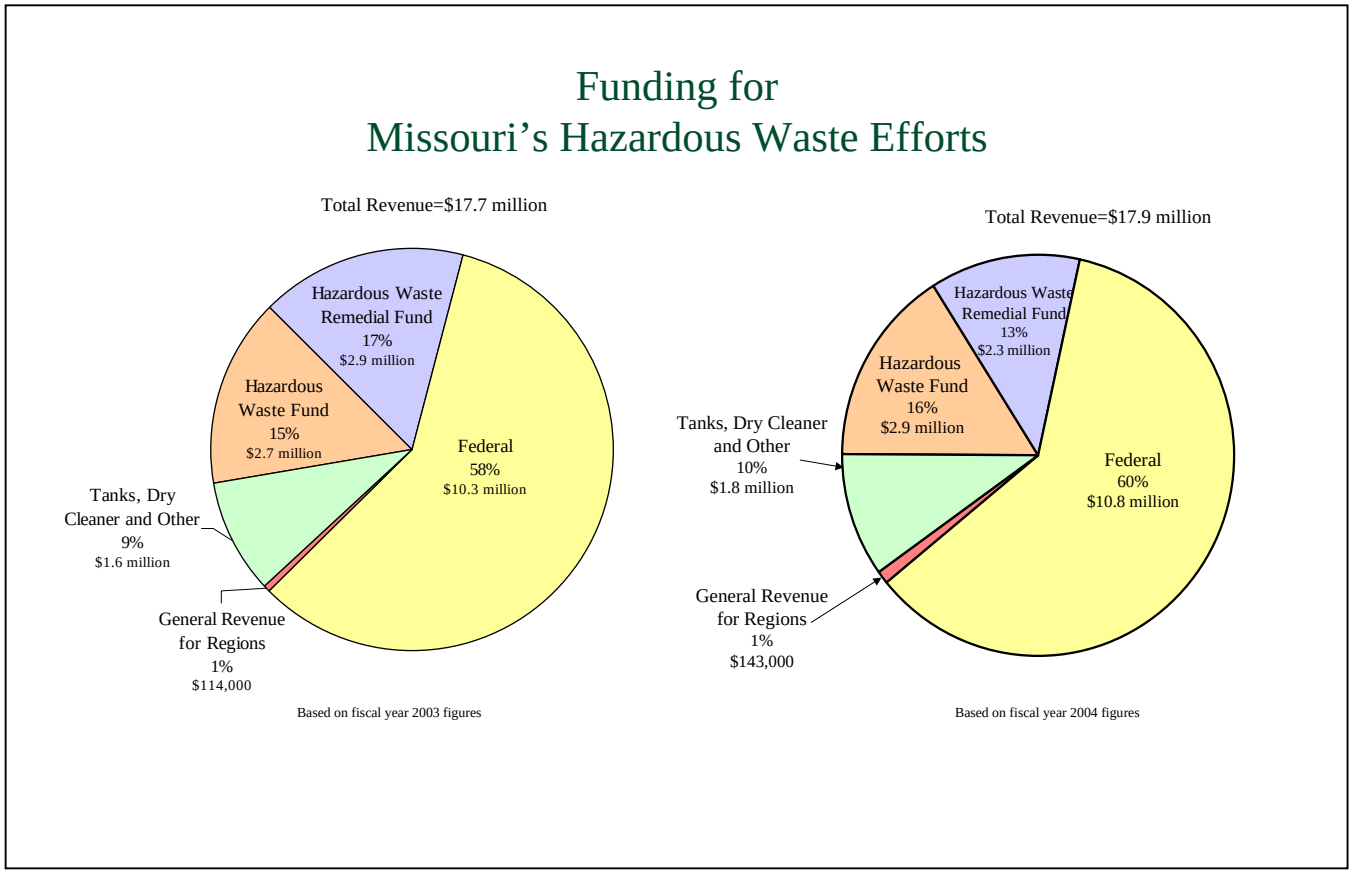
During the last legislative session, the Missouri General Assembly confronted the fact that two fees that fund the state's hazardous waste effort were due to expire at the end of 2004. In doing so, members of the industries that pay these fees testified that they believe that they are paying a disproportionate share for the maintenance of the programs they support. Furthermore, the industries testified that Missouri's unique system of registering and billing out-of-state hazardous waste generators for fees reduces their ability to compete for hazardous waste fuel.

In response, the general assembly passed SCS/SB 1040. Three things that this legislation accomplished are:

- Extends the fees that were set to expire to June 30, 2006
- Allows industries that receive hazardous waste from out-of-state generators to register and pay fees on behalf of their out-of-state customers; and
- Created a joint committee to examine the present hazardous waste fee structure and ultimately make a recommendation to the Governor and the General Assembly regarding how to more fairly apportion the cost of services provided among those that benefit from the services by December 31, 2004.

This report represents the findings and recommendations of that joint committee. The committee first met on August 10, 2004 in the Capitol to hear testimony from the Missouri Department of Natural Resources (MDNR) regarding the states hazardous waste effort. The joint committee then organized a tour of hazardous waste related sites on September 2 and 3. Finally, the committee heard public testimony on November 16, 2004 at the Capitol.

Funding for the state's hazardous waste effort comes from a variety of state and federal sources. Its work reaches to every part of the state. It is the Joint Committee's intention that the general assembly find a means to continue funding this program through mechanisms that provide for greater balance and fairness than the current system.



Summary of Testimony Before the

Joint Committee on Restructuring Fees Paid by Hazardous Waste Generators and Hazardous Waste Facilities

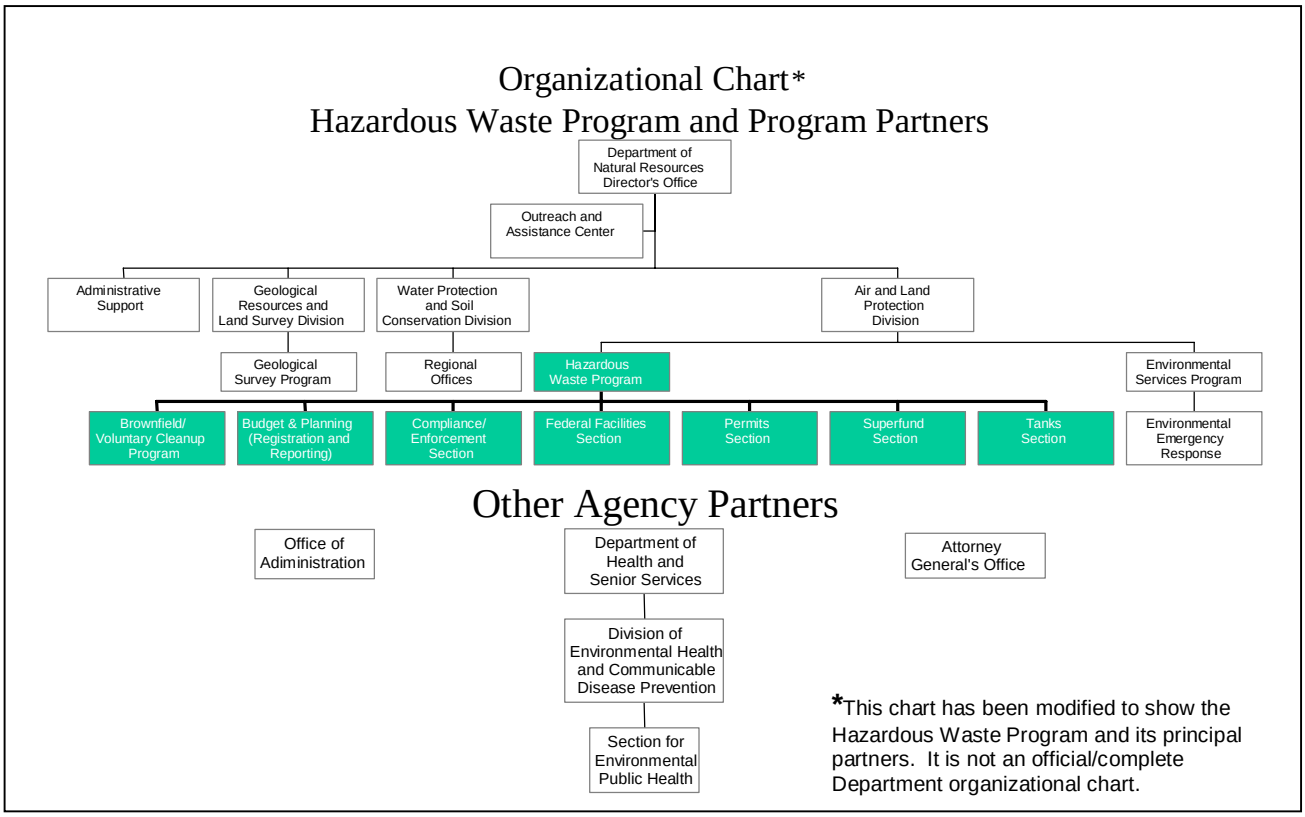
Edward Galbraith

Director, Hazardous Waste Program

August 10, 2004

Introduction

The State of Missouri's hazardous waste effort is more than just the Hazardous Waste Program within the Missouri Department of Natural Resources. It is a team of scientists, geologists, field staff, health specialists and attorneys in divisions and agencies across the state. And it primarily involves the effort and cooperation of hundreds of businesses, small and large, who generally do a good job of managing hazardous waste safely, under a detailed set of regulatory requirements. The effort is funded by over two dozen different federal grants, five major state fund sources and 8 minor sources, seven unique fees, plus fees for services and cost recovery. The department's Hazardous Waste Program serves as a coordinating function to avoid duplication of effort and provides the most cost-effective solutions for particular problems.



There are three functions of Missouri's hazardous waste effort. These include responding to environmental emergencies, preventing pollution, and cleaning up contaminated properties so that they are safe for future use.

Environmental Emergency Response

A 24 hour spill hotline, onsite response to spills, leaks and other emergencies, technical assistance on a daily basis to local officials, industry and citizens about managing hazardous materials--this is just some of the Environmental Emergency Reponses (EERs) work. Staff in Jefferson City, St. Louis, Poplar Bluff, Kansas City, Macon and Springfield can quickly respond when an emergency occurs and also participate in local programs for reducing accidents involving hazardous materials. This cost-effective program works, with our local response agencies such as police departments and fire departments and provides information, equipment and trained personnel, which is not locally available.

Pollution Prevention

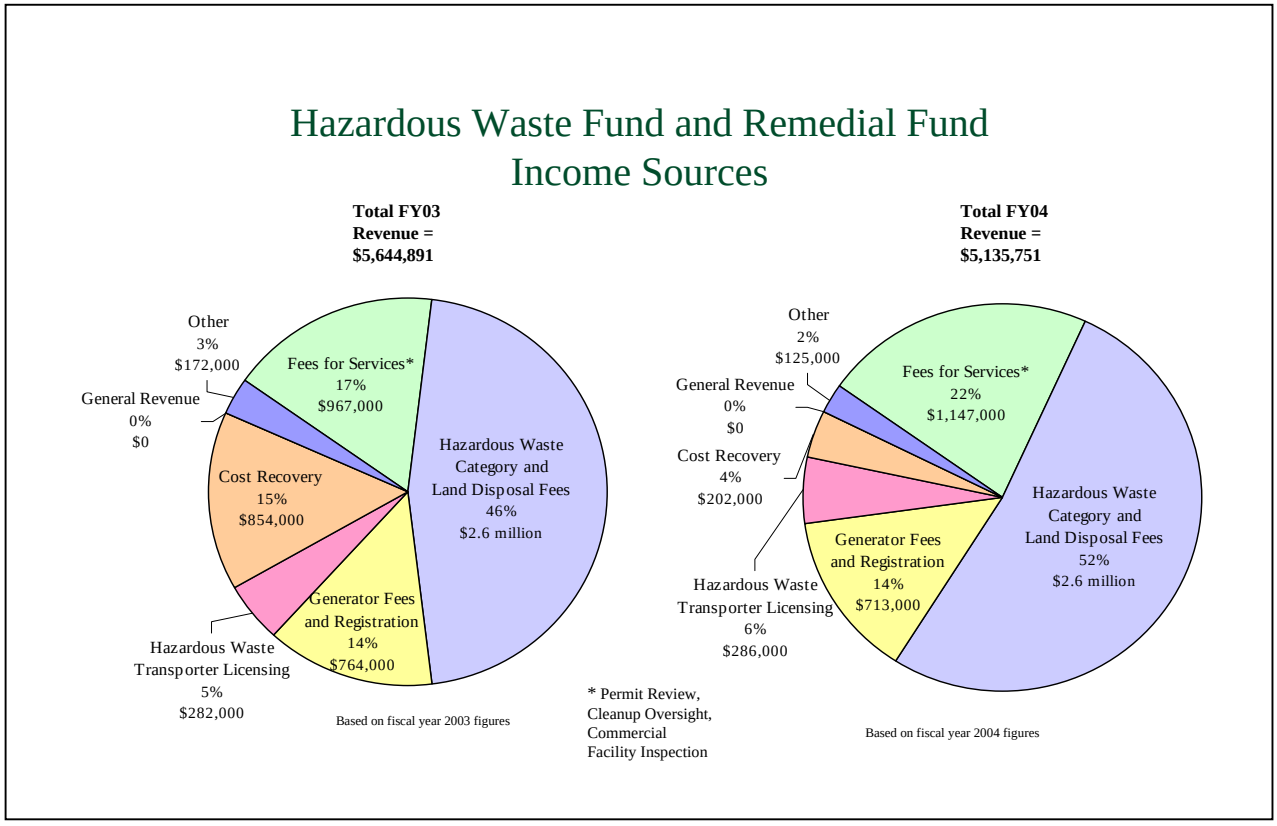
The program works with over 4,420 businesses that handle hazardous wastes largely through permitting and technical assistance to ensure safe handling, transportation and disposal and with owners of over 3,700 underground storage tank sites to prevent and detect releases. This is a successful private/public partnership that ensures the proper handling of hazardous wastes, provides accountability to the public and provides a level regulatory playing field for businesses faced with hazardous waste management challenges.

Cleanup and Long-Term Stewardship

MDNR works in different ways to address contamination caused by human activities. In addition to implementing laws that hold responsible parties accountable for their contamination we also work with voluntary parties seeking to clean up contamination. The department provides guidance for cleanup and in some cases takes direct control of cleanups using funds provided for that purpose from federal or state sources. Because most cleanups leave some residual contamination, the program implements long term stewardship to promote the safe, productive reuse of properties for future generations.

The Joint Committee on Restructuring Fees Paid by Hazardous Waste Generators and Hazardous Waste Facilities (Joint Committee) was created by SB 1040. This Senate Bill established this committee to review the fees paid by hazardous waste generators and facilities and consider options for expanding the fee structure to more fairly apportion the cost of services provided among those that benefit.

Funding for Missouri's hazardous waste activities was $17.7 million in FY03. Funding comes from a variety of sources including 58% from federal agencies, 17% from the Hazardous Waste Remedial Fund, 15% from the Hazardous Waste Fund, and 10% from other sources.

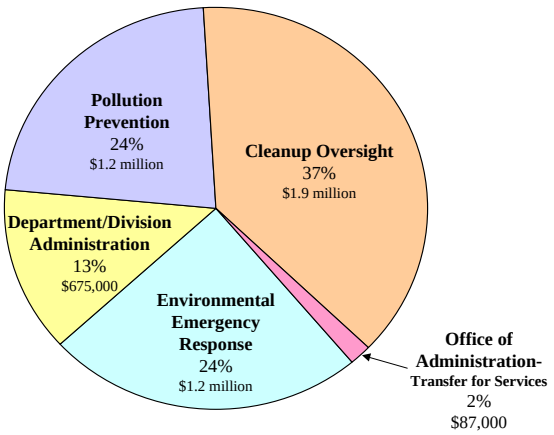


In 2000, the legislature established the current fee structure in SB577 with certain "agreed-to" amounts that would establish adequate funding. From FY01 to FY04, revenues to the two funds are about $5.4 million short of the projected income levels. The lack of general revenue (GR) and the drop in Hazardous Waste Transporter Fees account for most of the shortfall.

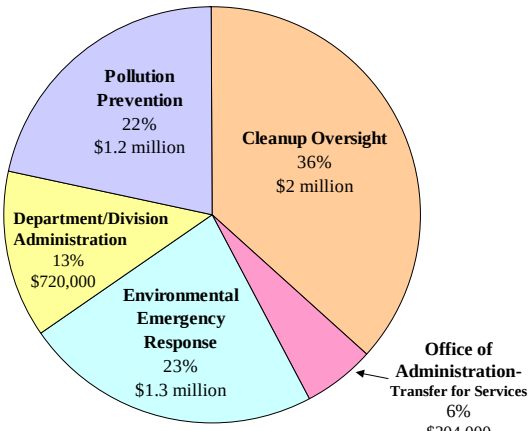
The department provided the committee with a packet of material that included important financial information as well as "At-A-Glance" fact sheets on each of the major program areas, e.g., Superfund, Environmental Emergency Response, Permitting and Compliance/Enforcement. Each At-a-Glance provides information on the work and specific funding of each area. These documents are available on the web at www.dnr.mo.gov/alpd/hwp/hwp-fees/index.html.

The department stands ready to assist the joint committee in understanding the work to be funded. If requested the department will also assist in exploring alternative funding options.

Hazardous Waste Fund and Remedial Fund Expenditures by Activity

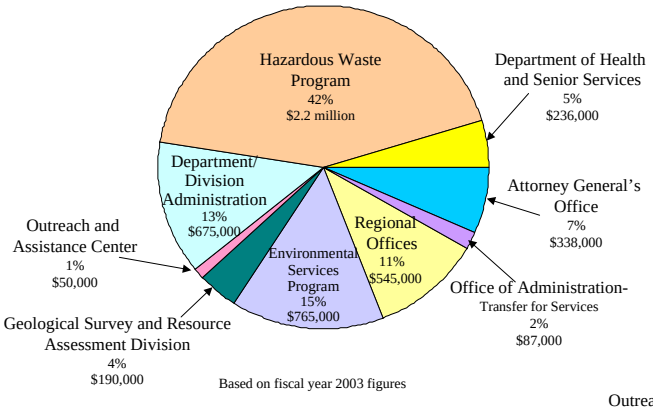


Based on fiscal year 2003 figures

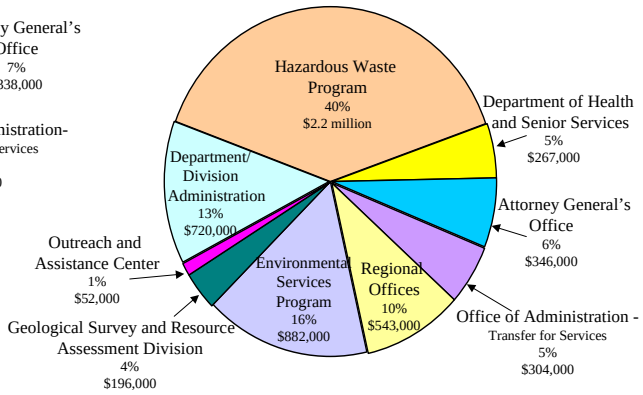


Based on fiscal year 2004 figures

Hazardous Waste Fund and Remedial Fund Expenditures by Organization



Based on fiscal year 2003 figures



Based on fiscal year 2004 figures

Earl Pabst
Director, Environmental Services Program
August 10, 2004

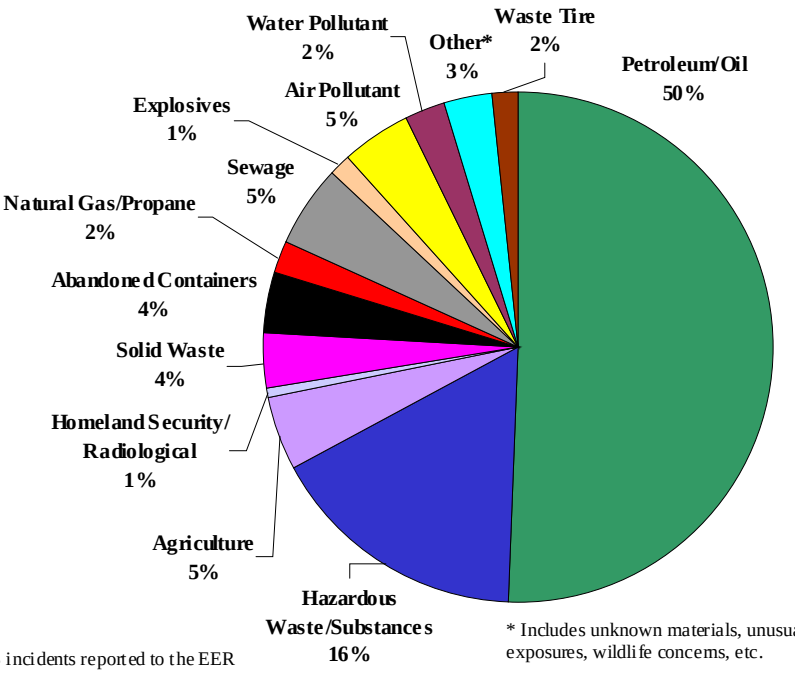
The MDNR's Environmental Emergency Response (EER) program was created to respond to "hazardous substance releases as provided in Sections 260.500 to 260.550." Section 260.391, RSMo states that the Hazardous Waste Fund shall be used for responses to hazardous substance releases. The MDNR is mandated to address environmental emergencies including "any chemical, petroleum, or other material spilled on to the land, water, or atmosphere" that might impact the public health/safety and/or the environment. Section 260.500 to 260.550 RSMo requires the MDNR to maintain a 24-hour environmental emergency response spill line, cleanup oversight and the authority to initiate a cleanup.

The EER program responsibilities include state lead on hazardous materials incidents, maintaining the Hazardous Substance Emergency Response Plan, 24-hour spill reporting line, notifying local officials and responders, on-site response and technical assistance, cleanup oversight, cost recovery, and homeland security. The department maintains highly trained personnel with specialized equipment to respond to hazardous substance releases. If the responsible party cannot be identified or cannot take appropriate action, the department has private hazardous material contractors available who can be mobilized to cleanup the release under the oversight of the department.

The EER program has received on average over 1,500 incident calls and averaged nearly 480 on-site emergency spill responses per year for the last decade. The types of hazardous substance releases vary. Over the past ten years 50% of the incidents have been related to petroleum/oil releases. However, hazardous substance releases also represent a significant number. The training provided to local community officials and responders is also noteworthy.

The department's emergency response personnel work closely with local fire departments and hazardous material teams in the state to ensure that hazardous substance emergencies are properly cleaned up and public welfare and the environment are protected.

Environmental Emergency Response
Incident Types - fiscal years 1994-2004



Based on 20,543 incidents reported to the EER

* Includes unknown materials, unusual occurrences, human exposures, wildlife concerns, etc.

Summary of Visit to Hazardous Waste Sites
September 2-3, 2004

1. St. Francois County Lead Mining Area

The former lead mining area in St. Francois County is part of the "Old Lead Belt" of southeast Missouri. There is widespread contamination from historic production transportation and storage of lead ore and lead waste. The Big River Mine Tailing site near Desloge was placed on the Superfund National Priority List (NPL) in October 1992. The Doe Run Company, as the responsible party for the Superfund list, is conducting a number of cleanup activities in conjunction with MDNR and the U.S. Environmental Protection Agency (EPA). Doe Run is conducting residential soil removal and an area-wide study to establish the full extent of lead contamination in St. Francois County. Progress is being made on the Bonne Terre Mine Tailing site, which will greatly reduce the contamination and provide a recreational area for the residents of Bonne Terre.

2. Millennium Environmental, Incorporated

Millennium Environmental, Incorporated (MEI) is a former hazardous waste treatment, storage, and disposal facility in Scott City, Missouri. MEI abandoned its facility in 2001, leaving more than 1,500 containers of toxic hazardous waste in storage. The DNR obtained a court order to remove the toxic waste and obtain payment for further cleanup costs. The DNR completed the court-ordered cleanup of hazardous waste. Final cleanup and closure is schedule for late 2004. Fortunately the required financial assurance instrument was in place so the department can complete the cleanup without using taxpayer dollars.

Inter-Rail Environmental Service (Inter-Rail) plans to operate a facility as a non-hazardous waste recycling center when the cleanup is finished.

3. Buzzi/Lone Star Industries, Incorporated

Buzzi/Lone Star Industries, Incorporated (Buzzi) operates a "dry process" cement kiln. The kiln produces 1,200,000 tons of Portland cement yearly. Buzzi uses both coal and hazardous waste to produce fuel to heat their kiln. To supplement their fuel needs, Buzzi receives more than 54,900 tons of hazardous waste per year, more than 96 percent from out of state. Buzzi is among the top five hazardous waste management facilities in terms of hazardous waste fees paid.

Resource Conservation and Recovery Act (RCRA) Permitting Issues: The department issued a

hazardous waste operating permit to Buzzi on February 16, 1999. The regulated units consist of a container storage area, container processing equipment, truck unloading facilities, six 40,000-gallon storage tanks, and fuel blending equipment.

Hazardous Waste Combuster Maximum Achievable Control Technology (HWC MACT) Issues: Buzzi is currently operating under Interim HWC MACT standards.

4. Presentations by Local Responders and Public Officials

Kathy Simpkins – City Manager of East Prairie
Explained MDNR EER's role in protecting their drinking water supply following a petroleum release that occurred in their area. She expressed concern that if it was not for MDNR EER, their city water supply could be impacted. They would not have known what to do.

Bill Pippins, Director – Stoddard County 911
Explained the need for MDNR EER's expertise to assist the local fire departments with hazardous materials incidents. He further explained that small fire departments have no one to "protect" them and need MDNR EER's assistance with hazardous substance incidents.

Drew Juden, Director – Sikeston Department of Public Safety
Also explained the need for MDNR EER's expertise to assist local fire departments, amount of on-site responses conducted by MDNR EER, and the MDNR EER is incorporated into their weapons of mass destruction (WMD) team. Mr. Juden commented that their WMD plan would not exist if it was not for MDNR EER's assistance.

Jay Cassout, Fire Chief - Scott City
Explained how MDNR EER has assisted their fire department with hazardous materials incidents including a fire at Millennium Environmental, Incorporated. Scott City Fire Department does not have much experience with hazardous materials incidents and need MDNR EER's assistance.

Brad Golden, Fire Chief – Jackson Fire and Rescue
Explained how MDNR EER helped the City of Jackson in dealing with hazardous materials following a tornado event. He further explained MDNR EER is important to assist with hazardous materials incidents and is part of their WMD/Homeland Security Team. He reiterated that small fire departments do not have the experience to deal with hazardous material incidents and rely on MDNR EER to assist them.

Charlotte Craig, Director - Cape Girardeau County Health Center.
MDNR EER has provided a lot of training and assisted them with Homeland Security issues and exercises.

5. BASF Corporation – Hannibal Plant

BASF Hannibal plant is an agricultural chemical manufacturing facility producing mainly herbicides and insecticides. The Hannibal Plant generated 95,444 tons of hazardous waste during the 2003 reporting year, making it Missouri's largest hazardous waste generator. The majority of the hazardous waste consists of wastewater from the plant's production facilities. More than 99.9 percent of the hazardous waste generated at the Hannibal Plant is destroyed in the facilitiy's on-site incinerators. The remaining 1/0 percent is managed in federally approved offsite commercial hazardous waste disposal facilities.

The Hannibal Plant paid $51,120 to the MDNR Hazaqrdous Waste Fund and Hazardous Waste Remedial Fund in 2003. Since the hazardous waste fee program started, the Hannibal plant has paid a totoal of 898,544 into the program. This does not include the separate additional charges for MDNR engineering fees related to actual time MDNR staff spend in reviews of the plant's RCRA permits. The Hannibal plant has not required the assistance of the MDNR Emergency Response Program for incidents related to its operation.

RCRA Permitting Issues: BASF is currently permitted to operate four hazardous waste incinerators and two hazardous waste container storage areas.

HWC MACT Issues: the BASF Hannibal plant has provided notification to the MDNR that the plant is operating in compliance with the HWC MACT regulations.

Corrective Action Issues: BASF discovered groundwater pollution at the site. The pollution consists of low-level concentrations of Chlorobenzene, 1,2 Dichloroethane (1,2 DCA, or ECD), 1,1 Dichloroethane (1,1 DCA), 1,2 Dichloroethane (1,2 DCE), Ethylbenzene, Toluene, and Xylenes. EPA and the department have approved a work plan for BASF to investigate the amount of pollution and find the pollution source.

6. Continental Cement Company

Continental Cement Company (Continental Cement) operates a "wet process" cement kiln. The

kiln produces 650,000 tons of Portland cement yearly. Continental Cement uses both coal and hazardous waste to produce fuel to heat their kiln. To supplement their fuel needs, Continental Cement received about 90,000 tons of hazardous waste during the 2003 reporting year, more than 85 percent from out of state. Continental Cement and its associated hazardous waste generators account $1,213,355 in fees paid to the Hazardous Waste Fund and Hazardous Waste Remedial Fund.

RCRA Permitting Issues: The department issued a hazardous waste operating permit to Continental Cement on October 14, 1999. The regulated units consist of four container storage areas, two containment buildings, nine hazardous waste storage tanks, truck unloading facilities, rail car unloading facilities, truck and railcar clean-out facilities, drum decanting equipment, and fuel blending equipment.

HWC MACT Issues: The department approved an extension to September 30, 2004, compliance date for the HWC MACT. Continental Cement has been experimenting with different ways to meet the new dioxin emission standards. They have designed equipment that they feel is effective in this regard. Continental Cement submitted the required Notice of Compliance by the September

7. Holcim (US) Inc./Energis L.L.C.

The Holcim (US) Inc./Energis L.L.C. - Clarksville plant (Holcim) operates a "wet process" cement kiln. The cement kiln produces 1.3 million tons of Portland cement per year. Holcim uses both coal and hazardous waste to produce fuel to heat their kiln. To supplement their fuel needs, Holcim received more than 65,000 tons of hazardous waste during the 2003 reporting year, more than 92 percent from out of state.

A by product of the cement production process is a fine chalky powder waste known as cement kiln dust, which is regularly tested.

RCRA Permitting Issues: The department issued a hazardous waste operating permit to Holcim on May 2, 2000. The permit is for hazardous waste storage in containers and tanks, treatment in tanks, and burning of hazardous waste derived fuel in a cement kiln.

HWC MACT Issues: Holcim is currently operating under interim HWC MACT standards.

8. Update on Jasper County Lead Site

Although it was not part of the tour, information was provided on the Jasper County Superfund Site due to the importance of the site from a health, safety and economic perspectives. The Jasper County Superfund Site is part of the historic Tri-State Mining District, which covers 2,500 square miles in Jasper and Newton Counties in southwest Missouri and adjoining portions of Kansas and Oklahoma. From the 1850s to the 1960s, the Tri-State District was the highest producing zinc and lead mining area in the world.

Unfortunately, unregulated mining and smelting activities left behind waste material that has contaminated thousands of acres of land, tens of miles of streams, and hundreds of square miles of groundwater in Jasper County. This contamination has also affected human health. A 1994 study by the Missouri Department of Health and Senior Services revealed that 14 percent of children ages 6 and under in Jasper County had unacceptably high levels of lead in their blood. Further investigation showed that within one-quarter mile of the former Eagle Picher smelter in northwest Joplin, 25 percent of children had elevated blood-lead levels.

EPA, in conjunction with the MDNR, developed a plan for sampling and remediating lead-contaminated areas through the federal Superfund program. EPA identified 11 designated areas in Jasper County that were former mining sub-districts. EPA sampled thousands of residential properties in Joplin and surrounding areas and hundreds of drinking water wells.

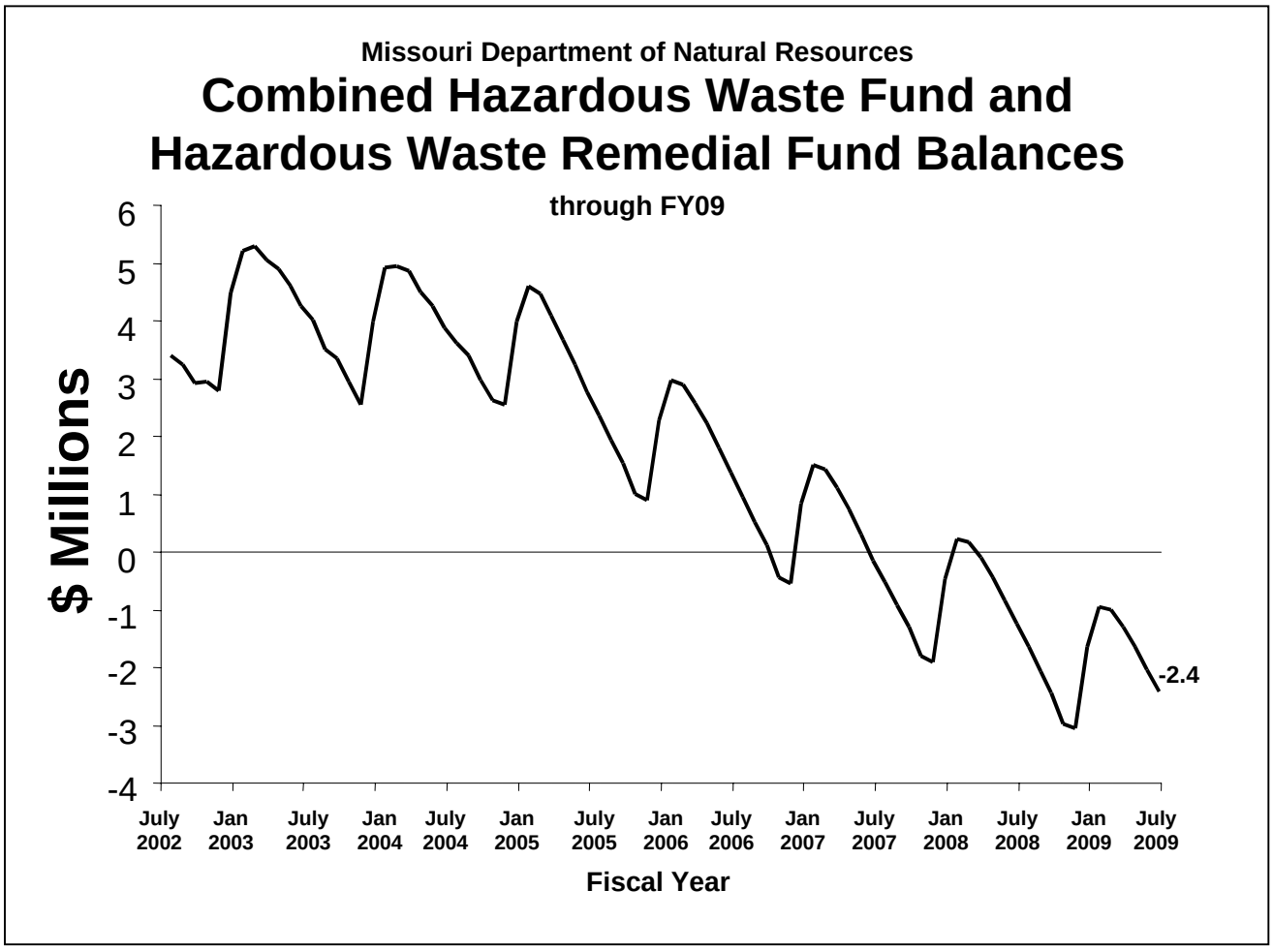
EPA sampling found unacceptable levels of lead contamination in soil at 2,600 residential properties. The sampling also found that 250 residential wells were contaminated with lead and/or cadmium, or were threatened with contamination.

Using all local labor, EPA cleaned up these residential properties by replacing contaminated soil with clean soil. The department and EPA worked closely with the City of Joplin, Jasper County officials, and the banking and real estate communities throughout the process. As a result, the Joplin area experienced continued economic growth and increased property values during the five years of residential Superfund cleanup.

Summary of Testimony from November 16, 2004 Hearing

Summary of Testimony from
Mr. Ed Galbraith, Director, Hazardous Waste Program, MDNR
And
Mr. Robert Morrison, Section Chief, RCRA Permits Section, Hazardous Waste Program, MDNR

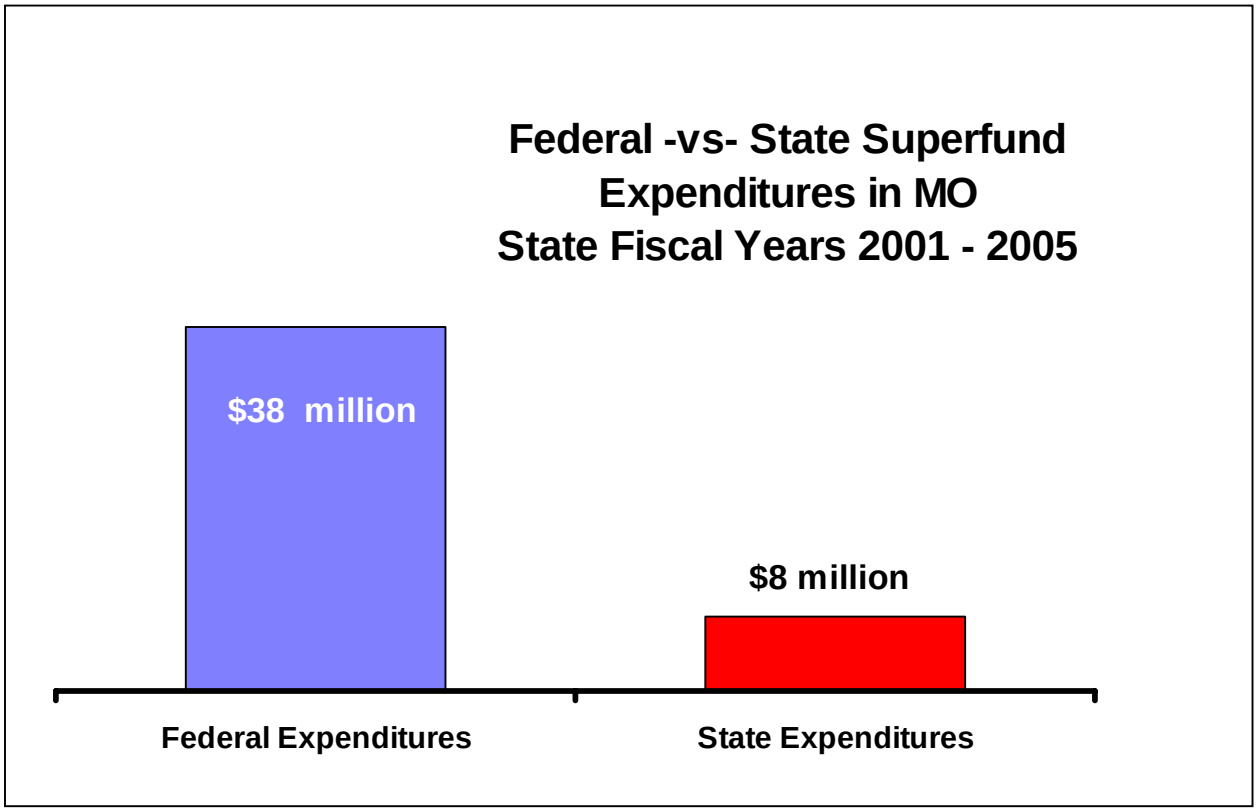
Mr. Ed Galbraith introduced Mr. Morrison to present a summary of the various funding scenario options that have been discussed as part of the interim committee's work regarding evaluation and restructuring of the fees paid into the Hazardous Waste Fund and Hazardous Waste Remedial Fund. During his introduction, Mr. Galbraith reiterated the benefits of a strong state Superfund program, namely, returning properties to a productive use, better cleanups for less money and advocating Missouri's community issues with EPA in the remediation process. In concluding his introductory remarks, Mr. Galbraith pointed out that for example a flat rate of $2 per ton for out of state waste would reduce revenues by about $1.5 million. Combined with the existing shortfall, this would leave about a $3 million dollar gap between revenues and need. That deficit will need to be made up if services are not going to be significantly impacted in the future.



Mr. Morrison during his testimony presented some slides summarizing several funding scenarios (attached to the report) that depict the various funding options that have been discussed during the interim committee's work. These scenarios include:

- a description of the revenue collected in SFY 04;
- the impact that a reduction of the out of state waste category, generator and land disposal fee would have on revenues to the Funds;
- the impact that an increase in fee of the petroleum industry to address Environmental Emergency Response issues associated with the cost of responses to petroleum facilities (the discussion of the fees ranged from an increase in the petroleum load fee to increases in the fees paid by petroleum industry into the EPCRA Tier II program);
- the impact of a fee placed on the sale of tires (in addition to the waste tire fee currently assessed to Missourians) would have on revenues to the Funds; and
- the impact of a fee on the sale of lead acid batteries would have on the revenues to the Funds was also included in the scenarios.

Mr. Galbraith pointed out that since 2001 the federal government has spent over $38 million for Superfund assessment and cleanup compared to the state's outlay of about $8 million. He pointed out that having technical staff at the state level is a vital part of increasing and overseeing the federal Superfund in the state and encouraged the joint committee to remain committed to funding this portion of the program.



Summary of Testimony from
Mr. Earl Pabst, Director, Environmental Services Program, MDNR

The department's environmental emergency response activities are primarily funded from the Hazardous Waste Fund in accordance with Section 260.391, RSMo. The annual budget is approximately $1.2 million. The public does benefit from the department's ability to respond and ensure that hazardous substance releases are cleaned up just as the public benefits from clean air and clean water. However, in the case of environmental emergency responses, the public did not cause the release of hazardous substances, which potentially threatens public health and the environment. Petroleum makes up 50% of the incidents, yet the petroleum industry is paying a nominal $40,000 (an allocation from Petroleum Storage Tank Insurance Fund for FY 2005) to support EER.

Some 1,500 to 2,000 incidents are reported each year to the department's 24-hr emergency response spill line. When a hazardous substance release is reported, the department's Environmental Emergency Response Duty Officer determines whether the release involves a significant threat to public welfare or the environment and requires an on-scene response. Less than 25% of the total incidents reported actually require a response. In many cases, the Duty Officer can provide technical assistance and direction by telephone to the responsible party or the local hazardous material response team.

Other states differ significantly in their environmental emergency response authorities and capabilities. State population, highways, types of facilities in the state, etc. can all influence the number and types of releases that occur. For example, Illinois has similar emergency response capabilities as Missouri.

One of the options mentioned in earlier discussions with stakeholders was to eliminate the state's emergency response program and defer all incidents to the local fire departments and hazardous material teams. One concern with this suggestion is that local fire departments and hazardous material teams do not have statutory authority or responsibility for environmental protection. And many hazardous substance releases have an environmental threat, such as groundwater contamination, as well as a threat to public welfare. Secondly, fire department and local hazardous material teams do not have the capability or resources to address cleanups. Their objective is to address the short-term emergency phase only. They do not normally have the expertise or resources to address any actual cleanups associated with an environmental emergency. Finally, many rural areas in the state do not have hazardous material teams to respond to emergency situations.

Summary of Testimony from
Lynn Shreve
MFR Environmental Services/Continental Cement Company

Continental Cement is a Missouri owned and operated coement kln operation locate din Hannibal, MO. The plant employs 200+ people and beneficially reuses approximately 91,000 tons of hazardous waste fuel annually (75 of the 200+ employees are associated with the waste fuel operation). The hazardous waste fuels serve as a 50 percent replacement for the primary eneergy source – coal. Cement kiln recycling provides an environmentallyu safe method of removing hazardous waste from the environment, thus utilizing it as a productive resource.

In FY 2003, Continental and its customers paid $1,213,355 to the MODNR in the form of fice differencty types of hazasrdous waste fees and taxes (i.e., a generator registration fee, category tax, permit review fees, generator tax, and commercial inspection fees). Of the $2,600,000 of category taxes collected by the Missour Department of Natural Resources in 2003, the cement industry accounted for $1.8 million, or 68 percent. Continental and its customers accounted for 68 percent of tha t number, or 46 percent of the total (approximately $1.2 million).

Continental proposed the following items as part of the solution to the hazardous waste issues:

1) Allow the individual user or accepting Missouri state facilities to collect and pay taxes based on volumes received. Relive out-of-state generators of the direct tax payment to the state.
2) Flat tax in lieu of the present yearly volume calculation. A $2/ton flat tax rate would be acceptable provided this matches the higher of the competing states.
3) Elimination of all duplicative reporting of r out-of-state generators.

Detailed Description of Missouri's Hazardous Waste Effort

Pollution Prevention

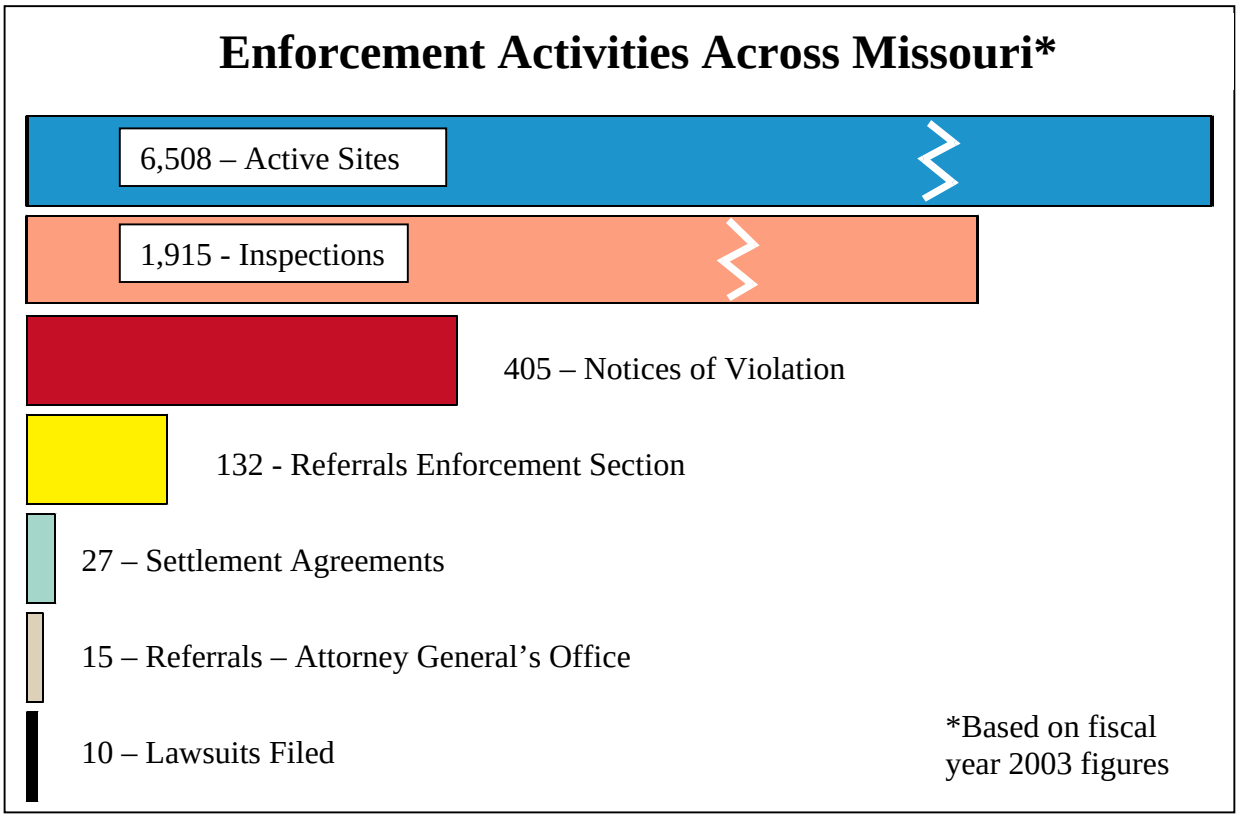
The basic premise of the management of currently generated waste is to oversee all waste-related activities from the point of generation to the point of treatment and disposal. Waste reduction is also encouraged. State activities related to this management include:

Registration of Generators and Tracking Waste – As of June 2003 there are 2,741 hazardous waste generators in the state; collectively they produced 189,700 metric tons of hazardous waste during the previous year. About 71% of Missouri-generated waste was disposed of in Missouri; the remaining 29% was shipped out-of-state. Additionally, for the 12-month reporting period, ending June 30, 2003, Missouri received 199,500 tons of hazardous waste from out-of-state generators. About 95% of this imported waste came to Missouri cement kilns that burn hazardous waste. Roughly one-quarter of the hazardous waste burned for energy recovery takes place in Missouri.

Manifesting and Transporter Licensing - In 2003, there were 227 licensed hazardous waste transporters in the state, with 3,888 licensed vehicles. Only a portion of these vehicles are located in Missouri at any given time. The Department of Natural Resources is only authorized to regulate the transportation of hazardous waste, not gasoline, acids, or other hazardous materials. Many of these materials become regulated as hazardous waste when spilled, and are then subject to spill reporting and cleanup, hazardous waste management, transport, and disposal requirements.

Inspection and Enforcement - The Compliance/Enforcement Section and Regional Offices that support their activities inspect sites in the interest of preventing pollution from hazardous waste and hazardous materials. Section staff works with regulations regarding hazardous waste, polychlorinated biphenyls, underground storage tanks containing petroleum and hazardous substances, and transportation of hazardous waste and hazardous substances. Of the 6,500 active hazardous waste generators and tank sites in SFY 2003, staff conducted inspections of approximately 1,900 sites. The majority of the problems identified during inspections are resolved at the regional office level without the need for enforcement action. In a small percentage of cases, enforcement action is needed to compel correction of the violations. Inspection and enforcement staff spend a significant portion of their time assisting regulated parties with guidance on how to comply with the regulations and directing and overseeing cleanup of releases.

Permitting and Certifying Facilities - In 2004, there were 95 treatment, storage, and disposal facilities in the state, of which 75 were no longer actively managing hazardous waste under interim status or a permit. Of the 20 active facilities, 6 treat only their own wastes on site, and 14 are commercial facilities that accept waste generated off site. There were also 27 certified resource recovery facilities in the state.



Cleanup of Past Contamination

Assessment

The department receives funding from USEPA to assess properties where past commercial, industrial or mining activities have resulted in actual or perceived contamination. The department currently estimates that there are more than 2000 industrial sites and over 6000 mine-related sites where contamination may pose a threat or inhibit reuse. This does not include petroleum-related sites. With a new focus on revitalization, the department continues to assess over 80 sites each year with a goal to promote beneficial re-use, while protecting the public and Missouri's resources.

Overseeing Cleanups

Some of the sites that are assessed are contaminated and must be cleaned up to make sure that

risks to the public and the environment are controlled. Cleanups can be expensive and time-consuming and require a great deal of technical expertise. The department works with responsible parties to achieve cleanup and reuse. The department is currently providing guidance at nearly 2000 sites . The responsible parties sometimes are unable or unwilling to pay for the cleanup and EPA and the state must pay for the cleanup.

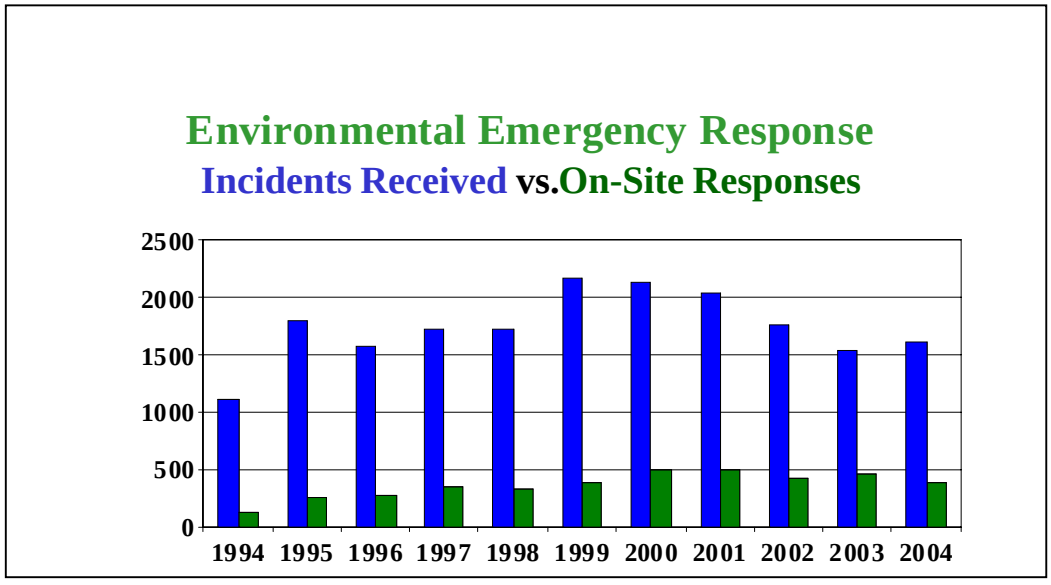
Regulated facilities must address past contamination. There are currently 95 facilities in Missouri subject to corrective actions. Of the 20 facilities currently managing hazardous waste under interim status or a permit, some have already performed assessment activities, but all are subject to assessment and cleanup activities if necessary after they discontinue active hazardous waste management. Of the 75 facilities, that no longer actively manage hazardous waste, 51 were involved with on-going site assessments or cleanups and 24 were waiting on assessments.

Long-term Care/Monitoring of Remediation Complete Facilities

Once the cleanup has been completed, the department must still provide long term stewardship at any site where contamination remains. Many cleanups involve controlling the exposure rather than removing contamination as a means to reduce the overall costs. Ongoing risk management may be as simple as maintaining and providing information to the public about the presence of contamination and any potential risks information management. However, it may also include more costly measures such as ongoing inspections, monitoring and property use restrictions. Approximately 6000 sites have been cleaned up under the department's guidance that will require some element of long term stewardship.

Environmental Emergency Response

Situations requiring emergency responses include transportation accidents, fixed facility accidents, abandoned containers, and homeland security issues. A 24-hour environmental emergency response spill line is maintained. There were 1,621 spills reported to the 24-hour spill line in fiscal year 2004, of which 379 required on-site responses.



RECOMMENDATIONS

Recommendation # 1: Diversify funding to the Hazardous Waste Program.

One acknowledged problem with the current funding of the hazardous waste program is that there are too many eggs in too few baskets. The hazardous waste industry is paying a disproportionate amount of the bill. Of the $5.1 million revenue to the hazardous waste funds in FY04, nearly $4.0 million or 78% came from hazardous waste generators, transporters and disposal facilities. Over $2 million dollars of hazardous waste funding derives from Missouri's waste fuel burning cement kilns. Parts of the hazardous waste/materials community feel they are paying more than their fair share of services and for problems not related to their industry. The second problem is fiscal security. If one kiln ceases hazardous waste burning, Missouri's hazardous waste effort will be dramatically cut. The Interim committee strongly recommends that the funding for the program be diversified to more fairly apportion the costs of its services to those using the services most. Alternate funding sources discussed before the committee includes fees on tires, lead acid batteries, Emergency Planning/Community Right to Know fees, and petroleum.

Recommendation # 2: Insure that the funding for the state's hazardous waste effort is sufficient to maintain adequate services.

The department estimates that to maintain adequate services in its hazardous waste effort, annual revenues of $6.6 million are necessary. Currently, the income to the hazardous waste funds averages $5.1 million per year. With expenditures at current levels the balance of the combined hazardous waste and hazardous waste remedial funds will become insolvent by December 2007. Reductions in revenue from out-of-state generators will only exacerbate this problem. For example a flat rate of $2/ton for out of state waste would reduce revenues by about $1.5 million. Combined with the existing shortfall, this would leave about a $3 million dollar gap between revenues and need. Further, general revenue has never been used to partially fund the hazardous waste efforts as anticipated. We recommend that the general assembly establish funding mechanisms, preferably through dedicated fees and general revenue, that reduce the burden to the hazardous waste industry while maintaining an adequate program that accounts for inflation and pay plan increases.

Recommendation #3: Fund the Superfund program through dedicated fees but fund the Superfund match through general appropriation as obligations come due.

Program - During FY01 through FY04, the state spent $5.6 million dollars for program staff. During this same time, federal grants for program staff totaled $7.4 million. Program staff investigate contaminated sites and guide cleanup efforts by responsible parties to insure a safe and productive future use. They also oversee EPA's Superfund efforts in the state, advocating for more cleanup dollars and helping direct how cleanup dollars are spent. We recommend that the funding for these program staff be maintained through dedicated fees.

Cleanup Match - The state Superfund contract obligates the state to a 10% cleanup match on all remedial actions in Missouri under Superfund where there is no responsible party. State obligations for this range from $3.6 million to $10.4 million. We recommend that state use general revenue appropriation to meet those obligations as they become due, which is generally after the cleanup is completed.

Recommendation #4: Combine the Hazardous Waste Fund and the Hazardous Waste Remedial Fund.

The HWRF was originally intended as the state counterpart to the federal Superfund and was to be used for state match. If Superfund program and cleanup are separated as recommended above, a separate hazardous waste remedial fund becomes an unnecessary accounting burden. We recommend the two funds be combined into one Hazardous Waste Fund to reduce accounting burden.

Recommendation #5: DNR should review its cost recovery procedures for EER.

Consider lowering the $1,000.00 threshold for cost recovery and develop a rate as allowed in Section 260.500(2) to include a proportionate share of the costs to maintain emergency response capabilities.

Recommendation #6: MDNR should develop a management plan for phasing out its Cleanup Program and Transitioning to a smaller long-term stewardship effort.

The job of MDNR should not be to perform cleanup, but rather to complete cleanup. The difference is that DNR should focus it efforts on more rigorous management of cleanup so that there is a prescribed schedule, scope and life-cycle cost (a "baseline") for cleanup. The MDNR should seek to meet the deadline under budget for accomplishing the completion of cleanups as much as possible given technical uncertainties. The General Assembly has mandated that MDNR use "risk-based corrective action" methods where appropriate, which could result in

more residual contamination being left behind after cleanup. A reliable long-term stewardship program will be necessary to provide adequate confidence in the protectiveness of risk-based cleanups.

At the end of the program baseline, when cleanups are done, and newly generated wastes are managed safely, a reduced staff will still be necessary to maintain records of completed remediation sites. This is necessary to track where residual contamination remains and to ensure that these sites are monitored and maintained as necessary. In this way, cleanup can be accelerated while the overall costs for the cleanup program are greatly reduced and individuals interested in purchasing or developing these sites can have access in a timely manner to this information so transactions and construction can occur smoothly. The department should begin now to develop such a long-term stewardship program and plan for the transition of the cleanup program, expediting and then shutting down the bulk of the active cleanup program when it is complete, and operating largely a relatively small long-term stewardship program.

Resources to Adequately Fund the State Hazardous Waste Effort

The department's projected funding need for the next five years consists of two components, program and state superfund match.

Program Funding
Program funding is that necessary to maintain current level of services for EER, pollution prevention and cleanup, including personal service, expense and equipment, program specific distribution, and all necessary fringe and indirect costs. For the purposes of this calculation, it also includes $2.1 million in state superfund match that is currently due and owed to EPA for the Jasper Co. cleanup. The department has agreed to match most of that obligation through in-kind contract remediation work to be paid from the Hazardous Waste Remedial Fund. For this reason this obligation is included here rather than under state Superfund match.

Resources Needed to Adequately Fund the State Hazardous Waste Effort	
Function	**Annual Budget for the Hazardous Waste Effort**
Environmental Emergency Response	$1,562,029
Pollution Prevention	$1,493,172
Cleanup Oversight	$2,575,690
Office of Administration – Transfer of Services	$81,331
Long-term Stewardship Trust fund	$200,000
Department/Division Administration	$732,870
Total	**$6,645,093**

State Superfund Match Obligations
Under state Superfund contract, when EPA's designates a site on the National Priorities List for remedial action, the state is obligated to pay 10% of the cleanup cost. As mentioned above, Missouri has a current outstanding obligation for $2.1 million for Jasper Co. But in addition to that, the department estimates that there are between $3.6 million and $10.4 million additional potential obligations that may come due over the next 10 years.

The Hazardous Waste Remedial Fund was originally established in part to be a repository for fees to pay this match. Since SB 577 in 2000, the department is required by statute to annually request $1 million in general revenue to fund Superfund cleanup. Because that general revenue

was never appropriated, we recommend that future state superfund match be funded through the annual appropriation process as those obligations come due. Generally, EPA does not notify the state of its obligation until the cleanup is completed. This committee understands that the general assembly will fund those obligations since they represent actual cleanup efforts that have benefited Missourians and their communities.

SCENARIO PROGRESSION

				Current Revenue	Proposed Revenue	Expected Impact	Anticipated Total Revenue
VERSION 1.0							
	Version 1.0		Current Revenue Structure				**$5,135,751**
VERSION 2.0							
	Version 1.0		Current Revenue				$5,135,751
	Changes Version 2.0	a	Members of the regulated community requested that the Program change the existing formula for calculating fees owed by out-of-state generators to a flat amount per ton to be collected and submitted by the facilities. **This scenario eliminates the blended fuel exemption and charges $2 per ton for all out-of-state hazardous waste.**	$1,957,701	$398,958	($1,558,743)	
		b	Members anticipate an increase in out-of-state tonnage - conservative estimate 34,000 ton increase	$0	$68,000	$68,000	
	Version 2.0		**Revenue**				**$3,645,008**
VERSION 2.1							
	Version 2.0		Revenue				$3,645,008
	Changes Version 2.1	a	Adds $75 to EPCRA* Tier II fees paid by approximately 7000 gas stations	$0	$525,000	$525,000	
		b	Adds $150 to EPCRA* Tier II fees paid by approximately 500 Chemical Factories	$0	$75,000	$75,000	
		c	More aggressive pursuant of cost recovery from responsible parties for EER incidents (including the addition of a multiplier to capture total costs incurred)	$0	$375,000	$375,000	
	Version 2.1		**Revenue**				**$4,620,008**
VERSION 2.2a							
	Version 2.1		Revenue				$4,620,008
	Changes Version 2.2a		Adds $0.50 per tire disposal fee	$0	$2,000,000	$2,000,000	
	Version 2.2a		**Revenue**				**$6,620,008**
VERSION 2.2b							
	Version 2.1		Revenue				$4,620,008
	Version 2.2b Changes		Adds $1.15 per battery fee to new lead acid battery purchases	$0	$2,070,000	$2,070,000	
	Version 2.2b		**Revenue**				**$6,690,008**
VERSION 3.0a							
	Version 1.0		Current Revenue				$5,135,751
	Changes Version 3.0a	a	Members of the regulated community requested that the Program change the existing formula for calculating fees owed by out-of-state generators to a flat amount per ton to be collected and submitted by the facilities. **This scenario eliminates the blended fuel exemption and charges $5 per ton for all out-of-state hazardous waste.**	$1,957,701	$997,394	($960,307)	
		b	Members anticipate an increase in out-of-state tonnage - conservative estimate 34,000 ton increase	$0	$170,000	$170,000	
		c	**Adds $0.25 per tire fee at the time of purchase**	$0	$1,000,000	$1,000,000	
		d	More aggressive pursuant of cost recovery from responsible parties for EER incidents (including the addition of a multiplier to capture total costs incurred)	$0	$375,000	$375,000	
		e	Adds $100 to EPCRA* Tier II fees paid by approximately 7000 gas stations	$0	$700,000	$700,000	
		f	Adds $500 to EPCRA* Tier II fees paid by approximately 500 Chemical Factories	$0	$250,000	$250,000	
	Version 3.0a		**Revenue**				**$6,670,444**
VERSION 3.0b							
	Version 1.0		Current Revenue				$5,135,751
	Changes Version 3.0b	a	Members of the regulated community requested that the Program change the existing formula for calculating fees owed by out-of-state generators to a flat amount per ton to be collected and submitted by the facilities. **This scenario eliminates the blended fuel exemption and charges $5 per ton for all out-of-state hazardous waste.**	$1,957,701	$997,394	($960,307)	
		b	Members anticipate an increase in out-of-state tonnage - conservative estimate 34,000 ton increase	$0	$170,000	$170,000	
		c	More aggressive pursuant of cost recovery from responsible parties for EER incidents (including the addition of a multiplier to capture total costs incurred)	$0	$375,000	$375,000	
		d	Adds $75 to EPCRA Tier II fees paid by approximately 7000 gas stations	$0	$525,000	$525,000	
		e	Adds $150 to EPCRA Tier II fees paid by approximately 500 Chemical Factories	$0	$75,000	$75,000	
		f	Adds $.75 per battery fee to new lead acid battery purchases	$0	$1,350,000	$1,350,000	
	Version 3.0b		**Revenue**				**$6,670,444**

* Emergency Response and Community Right to Know Act

VERSION 1.0

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state) See Out-of-State Generator Detail	Category Fee Generator Fee Generator Registration Fee	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$0	$0	☐ ☐	$1,957,701
2. Possible Increase in Out-of-State Tonnage 0			Possible Additional Revenue (Collected & Paid by TSD)		$0		$0
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public 1. Tire Fee 2. Tipping Fee	No Direct Contribution	$0	Fee per Tire Fee Per Ton	$0.00 $0.00	$0 $0	☐ ☐	$0 $0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional # of Gas Stations: 7,000 Chemical Factories - additional # of Chemical Factories: 500	$0 $0	$0 $0	☐ ☐	$0 $0
L. Fee on Lead-acid Batteries			Fee per Battery # of Batteries: 1,800,000	$0	$0	☐	$0
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Other Ideas							$0
Total Revenue Generated							$5,135,751
Difference							($1,488,749)
Revenue Target							$6,624,500

VERSION 2.0

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state) See Out-of-State Generator Detail	Category Fee Generator Fee Generator Registration Fee	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$2	$398,958	☑	$398,958
2. Possible Increase in Out-of-State Tonnage 34,000			Possible Additional Revenue (Collected & Paid by TSD)		$68,000	☑	$68,000
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public 1. Tire Fee 2. Tipping Fee	No Direct Contribution	$0	Fee per Tire Fee Per Ton	$0.00 $0.00	$0 $0	☐ ☐	$0 $0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional # of Gas Stations: 7,000 Chemical Factories - additional # of Chemical Factories: 500	$0 $0	$0 $0	☐ ☐	$0 $0
L. Fee on Lead-acid Batteries			Fee per Battery # of Batteries: 1,800,000	$0	$0	☐	$0
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Other Ideas							$0
Total Revenue Generated							$3,645,008
Difference							($2,979,492)
Revenue Target							$6,624,500

VERSION 2.1

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state) See Out-of-State Generator Detail	Category Fee Generator Fee Generator Registration Fee	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$2	$398,958	☑	$398,958
2. Possible Increase in Out-of-State Tonnage 34,000			Possible Additional Revenue (Collected & Paid by TSD)		$68,000	☑	$68,000
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public 1. Tire Fee 2. Tipping Fee	No Direct Contribution	$0	Fee per Tire Fee Per Ton	$0.00 $0.00	$0 $0	☐ ☐	$0 $0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional # of Gas Stations Chemical Factories - additional # of Chemical Factories	$75 7,000 $150 500	$525,000 $75,000	☑ ☑	$525,000 $75,000
L. Fee on Lead-acid Batteries			Fee per Battery # of Batteries	$0 1,800,000	$0	☐	$0
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Increased Cost Recovery efforts for EER incidents (including the addition of a multiplier to capture total costs incurred)							$375,000
Total Revenue Generated							$4,620,008
Difference							($2,004,492)
Revenue Target							$6,624,500

VERSION 2.2a

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state)	Category Fee Generator Fee Generator Registration Fee See Out-of-State Generator Detail	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$2	$398,958	☑	$398,958
2. Possible Increase in Out-of-State Tonnage 34,000			Possible Additional Revenue (Collected & Paid by TSD)		$68,000	☑	$68,000
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public	No Direct Contribution	$0					
1. Tire Fee			Fee per Tire	$0.50	$2,000,000	☑	$2,000,000
2. Tipping Fee			Fee Per Ton	$0.00	$0	☐	$0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional	$75	$525,000	☑	$525,000
		# of Gas Stations	7,000				
			Chemical Factories - additional	$150	$75,000	☑	$75,000
		# of Chemical Factories	500				
L. Fee on Lead-acid Batteries			Fee per Battery	$0	$0	☐	$0
		# of Batteries	1,800,000				
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Increased Cost Recovery efforts for EER incidents (including the addition of a multiplier to capture total costs incurred)							$375,000
Total Revenue Generated							$6,620,008
Difference							($4,492)
Revenue Target							$6,624,500

VERSION 2.2b

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state)	Category Fee Generator Fee Generator Registration Fee See Out-of-State Generator Detail	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$2	$398,958	☑	$398,958
2. Possible Increase in Out-of-State Tonnage 34,000			Possible Additional Revenue (Collected & Paid by TSD)		$68,000	☑	$68,000
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public	No Direct Contribution	$0					
1. Tire Fee			Fee per Tire	$0.45	$1,800,000	☐	$0
2. Tipping Fee			Fee Per Ton	$0.00	$0	☐	$0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional	$75	$525,000	☑	$525,000
		# of Gas Stations	7,000				
			Chemical Factories - additional	$150	$75,000	☑	$75,000
		# of Chemical Factories	500				
L. Fee on Lead-acid Batteries			Fee per Battery	$1.15	$2,070,000	☑	$2,070,000
		# of Batteries	1,800,000				
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Increased Cost Recovery efforts for EER incidents (including the addition of a multiplier to capture total costs incurred)							$375,000
Total Revenue Generated							$6,690,008
Difference							$65,508
Revenue Target							$6,624,500

VERSION 3.0a

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state) See Out-of-State Generator Detail	Category Fee Generator Fee Generator Registration Fee	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$5	$997,394	☑	$997,394
2. Possible Increase in Out-of-State Tonnage 34,000			Possible Additional Revenue (Collected & Paid by TSD)		$170,000	☑	$170,000
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public 1. Tire Fee 2. Tipping Fee	No Direct Contribution	$0	Fee per Tire Fee Per Ton	$0.25 $0.00	$1,000,000 $0	☑ ☐	$1,000,000 $0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional # of Gas Stations Chemical Factories - additional # of Chemical Factories	$100 7,000 $500 500	$700,000 $250,000	☑ ☑	$700,000 $250,000
L. Fee on Lead-acid Batteries			Fee per Battery # of Batteries	$1 1,800,000	$1,800,000	☐	$0
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Increased Cost Recovery efforts for EER incidents (including the addition of a multiplier to capture total costs incurred)							$375,000
Total Revenue Generated							$6,670,444
Difference							$45,944
Revenue Target							$6,624,500

VERSION 3.0b

HAZARDOUS WASTE PROGRAM REVENUE FUNDING CALCULATOR

Who Pays	Current Source	Actual Revenue Collection SFY2004	Possible Future Source	Variables	Possible Future $	Option Chosen?	Revenue Raised if Selected
A. Generators (In-State) In-State-Generator Detail	Category Fee Land Disposal Fee Generator Fee Generator Registration Fee	$1,404,745	Rate per Ton Minimum Cap	$0 $0 $0	To use current funding structure leave box blank. To use new rate, adjust variables & check box. $0	☐	$1,404,745
B. 1. Generators (Out-of-State) (Fees based on waste received from out-of-state Generators using same formula as for in-state)	Category Fee Generator Fee Generator Registration Fee See Out-of-State Generator Detail	$1,957,701	Rate per Ton (Collected & Paid by TSD)	$5	$997,394	☑	$997,394
2. Possible Increase in Out-of-State Tonnage: 34,000			Possible Additional Revenue (Collected & Paid by TSD)		$170,000	☑	$170,000
C. TSDs	Permit Fees Commercial Inspection Fees Billing for Services	$43,300 $135,000 $422,230	No Change		$600,530		$600,530
D. Haz Waste Transporters HW Transporter Variables	HW Transporter Registration	$283,991	HW License Fee		$129,600	☐	$283,991
E. Haz Materials Transporters Transporter Variables	No Direct Contribution	$0	Registration Multi-State Fee		$306,479 $401,652	☐ ☐	$0 $0
F. Railroads	Registration Fee	$2,100	RR Fee	$0	$0	☐	$2,100
G. Petroleum Industry EER Response Transport load = 8,000 gallons Average Transport Loads per year = 594,434	FY04 Fees New PSTIF Appropriation FY05 for EER $40,000	$12,900	Petroleum Load Fee	$0	$0	☐	$12,900
H. Responsible Parties Superfund Voluntary Cleanup Environmental Emergency Incidents Additional EER Response	Cost Recovery, Settlements	$741,803	No Change		$741,803		$741,803
I. Public	No Direct Contribution	$0					
1. Tire Fee			Fee per Tire	$0.25	$1,000,000	☐	$0
2. Tipping Fee			Fee Per Ton	$0.00	$0	☐	$0
J. Misc	Interest, Refunds, Surplus Property Other	$131,981	No Change				$131,981
K. EPCRA Tier II Fee for EER	No direct contribution	$0	Gas Stations - additional	$75	$525,000	☑	$525,000
		# of Gas Stations	7,000				
			Chemical Factories - additional	$150	$75,000	☑	$75,000
		# of Chemical Factories	500				
L. Fee on Lead-acid Batteries			Fee per Battery	$0.75	$1,350,000	☑	$1,350,000
		# of Batteries	1,800,000				
M. General Revenue	No direct contribution	$0		$0		☐	$0
N. Increased Cost Recovery efforts for EER incidents (including the addition of a multiplier to capture total costs incurred)							$375,000
Total Revenue Generated							$6,670,444
Difference							$45,944
Revenue Target							$6,624,500